

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

INTERIOR DEVELOPERS, INC., ET AL	*
Plaintiffs	*
	*
v	* CASE: 06-CV-01368 (RLA)
	*
ELAINE L. CHAO, SECRETARY OF THE	*
U.S. DEPARTMENT OF LABOR	*
Defendants	*
	*

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ANSWER TO THE COMPLAINT

TO THE HONORABLE COURT:

NOW COMES, Elaine L. Chao, Secretary of the U.S. Department of Labor, and respectfully sets forth its answer to the complaint as follows:

INTRODUCTION

This introductory paragraph, which is unnumbered, contains a characterization of plaintiffs' action to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

II. PARTIES

1. This paragraph is denied since defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations.
2. This paragraph is denied since defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations.
3. The allegations of this paragraph are admitted.
4. This paragraph contains a characterization of plaintiffs' action to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

JURISDICTION AND VENUE

5. This paragraph contains averments of law concerning jurisdiction to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

6. This paragraph contains averments of law concerning venue to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

7. This paragraph contains averments of law to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

#### STANDARD OF REVIEW

8. This paragraph contains averments of law concerning the standard of review to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

#### FACTS

9. This paragraph is admitted except to the extent it alleges the application was filed with the United States Department of Labor, Employment and Training Administration in San Juan, Puerto Rico on July 18, 2002.

10. Admitted.

11. This paragraph is denied and the court is referred to the Certifying Officer's Notice of Findings for a complete and accurate description of the contents of the decision.

12. This paragraph is denied and the court is referred to the Certifying Officer's Notice of Findings for a complete and accurate description of the contents of the decision.

13. This paragraph and subparagraphs a., b. and c. are denied and the court is referred to the plaintiff Interior Developers response to the Notice of Findings for a complete and accurate description of the contents of the response.

14. Admitted.

15. Admitted.

16. Admitted.

17. This paragraph is denied since defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations.

18. This paragraph is denied since defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations.

#### APPLICABLE LAW AND REGULATIONS

19. This paragraph contains a characterization of plaintiffs' action to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

20. Denied.

21. Admitted.

22. This paragraph states conclusions of law to which no answer is necessary but insofar as an answer may be deemed required, it is denied.

23. Denied.

#### THE PLAINTIFFS' CLAIMS

24. This paragraph is denied and the court is referred to the Certifying Officer's Final Determination for a complete and accurate description of the contents of the decision.

25. Denied.

26. Denied.

27. This paragraph is denied and the court is referred to BALCA's decision for a complete and accurate description of the contents of the decision.

28. Denied.

29. Denied.

30. This paragraph states conclusions of law to which no answer is necessary but insofar as an

answer may be deemed required, it is denied.

#### RELIEF REQUESTED

Paragraphs numbered 1. through 4. contain plaintiffs' prayer for relief to which no answer is necessary but insofar as an answer may be deemed required, they are denied.

All allegations of Plaintiffs' Complaint not heretofore admitted, denied or modified are hereby denied.

WHEREFORE, in view of the above, the complaint should be dismissed.

CERTIFICATE: I hereby certify that the instant document was filed on this same date via CM/ECF which will automatically notify the following participants: Patrick D. O'Neill-Cheyney, Esq.; and Jason Paul Ramos, Esq.

At San Juan, Puerto Rico this 14<sup>th</sup> day of August, 2006.

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